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 Attorneys for Defendant
 Scitor Corporation, a Delaware Corporation

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

WAYNE LUM, an individual,

 Plaintiff,

 vs.

No. C 09-05828 JF

**DECLARATION OF KATHLEEN
 DICKMAN IN SUPPORT OF DEFENDANT
 SCITOR CORPORATION'S MOTION FOR
 CHANGE OF VENUE**

SCITOR CORPORATION, a Delaware
 Corporation, and DOES 1-50

 Defendants.

28 U.S.C. § 1404(a)

Date: March 26, 2010
 Time: 9:00 a.m.
 Dept.: Courtroom 3, 5th Floor
 Judge: Hon. Jeremy Fogel

I, Kathleen Dickman, hereby declare and state as follows:

1. I am a resident of the Commonwealth of Virginia and am the current Vice President, Human Resources for Scitor Corporation ("Scitor" or "the Company"). I provide this declaration in support of Scitor's Motion for Change of Venue under 28 U.S.C. § 1404(a). I have direct and personal knowledge of the facts set forth below and, if called and sworn as a witness, I would testify competently to the truth of these facts.

2. I have worked for Scitor for more than 13 years, and have served as the Company's Vice President, Human Resources since 2007. I have worked at Scitor's corporate headquarters in Herndon, Virginia since 1996. I am broadly familiar with Scitor's business and operations, and as the Company's senior Human Resources executive I am particularly familiar

1 with Scitor's employees and the requirements, policies, and procedures pertaining to employment
2 matters. My knowledge includes an understanding of requirements for many Scitor employees
3 to hold and maintain security clearances as a condition for working on and supporting various
4 federal government contracts that Scitor holds.

5 3. Scitor is engaged in the government contracting business and holds contracts with
6 various federal government agencies and departments. Most of these contracts involve work for
7 arms of the federal government within the intelligence community, and the contracts and related
8 requirements specify that Scitor employees who work on and support such contracts must hold a
9 security clearance. The senior Scitor management personnel who have responsibility for
10 administering and complying with the terms of these contracts, including security clearance
11 requirements, all work at our Company's headquarters in Herndon, Virginia. For example,
12 Scitor's Director of Security, Mr. Terry Wildermuth, and all of the Company's Security
13 Department personnel who deal with security clearance requirements, as well as Scitor's Director
14 of Contracts Charles Menickelly and most of his staff, all work in Herndon.

15 4. Wayne Lum worked for Scitor from 1988 until 2009. The last position Mr. Lum
16 held was West Coast Information Technology Manager, a position he had held since
17 approximately 1997. In that position, Mr. Lum reported to Craig Anderson, Scitor's Director of
18 Information Systems and Services who works at the Company's headquarters in Herndon. Mr.
19 Lum's duties included responsibility for the maintenance and support of a highly classified and
20 secure computer network that Scitor operates pursuant to its contracts with agencies within the
21 intelligence community. This position gave Mr. Lum knowledge of sensitive and high-level
22 network administrator passwords, allowing him broad access to the secure network. Mr. Lum
23 had the ability to access, use, and change a broad array of information and data on the network,
24 including both information and data relating to the administration of the network and substantive
25 information and data kept on the network. In conjunction with his job, Mr. Lum periodically
26 traveled to Scitor's offices in Virginia for meetings, training, and other activities involving
27 personnel of the Information Technology Department as well as other Scitor personnel.
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1 5. Because of his access to a highly classified and sensitive government computer
2 network, a requirement for Mr. Lum's job as West Coast Information Technology Manager was
3 that he maintain a security clearance at the Top Secret/Sensitive Compartmentalized Information
4 level. Scitor cannot employ someone in the job Mr. Lum held who does not have such a
5 clearance.

6 6. In September 2009, I learned from Terry Wildermuth that Mr. Lum's security
7 clearance had been revoked by the government's National Reconnaissance Office ("NRO") in
8 Virginia. I had various discussions regarding this important development with Mr. Wildermuth,
9 Craig Anderson (Mr. Lum's direct supervisor), and Timothy Dills (Scitor's President). All of
10 these discussions occurred in Virginia and all of the Scitor managers involved in the discussions
11 work in Scitor's Herndon, Virginia headquarters and live in Virginia. These discussions focused
12 on assessing the impact of Mr. Lum's clearance revocation on his ability to meet the
13 qualifications for keeping his job. In particular, the focus was on whether the NRO's revocation
14 of Mr. Lum's clearance rendered him ineligible to continue working in his sensitive position
15 under Scitor's government contracts and related security requirements. I and the other senior
16 managers located in Virginia ultimately determined that Mr. Lum no longer met an essential
17 requirement for holding his job – namely, having a Top Secret/Sensitive Compartmentalized
18 Information security clearance – and that Scitor had no option but to terminate Mr. Lum's
19 employment. There was no other open position for which Mr. Lum was qualified that did not
20 require him to have a security clearance.

21 7. Mr. Lum was not treated differently from other Scitor employees who lost their
22 security clearance while employed in a job that required a clearance. All Scitor records
23 pertaining to such other terminations are kept at Scitor's offices in Herndon, Virginia.

24 8. All personnel records pertaining to Mr. Lum, including records pertaining to his
25 security clearance revocation and termination of employment, are located at Scitor's offices in
26 Herndon, Virginia.

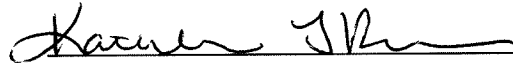
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1 9. Had NRO officials in Virginia not revoked Mr. Lum's security clearance, making
2 him unqualified for his job, Scitor would not have terminated Mr. Lum's employment. The
3 NRO's decision to revoke Mr. Lum's clearance is the only reason that Scitor considered Mr.
4 Lum's termination and ultimately did terminate him.

5 I declare under penalty of perjury under the laws of the United States of America that the
6 foregoing is true and correct.

7 Executed this 16 day of February, 2010, at Herndon, Virginia.

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9 Kathleen Dickman
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